

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF OREGON

DONALD L. WHITE,  
Plaintiff,

3:12-CV-01365-BR

ORDER

v.

BMW OF SEATTLE dba  
LITHIA OF SEATTLE,  
Defendant.

BROWN, Judge.

On July 30, 2012, Plaintiff Donald L. White filed an action in this Court alleging various fraud claims against Defendant BMW of Seattle dba Lithia of Seattle.

On July 31, 2012, the Court entered an Order acknowledging receipt of Plaintiff's Complaint. The Court noted Plaintiff and Defendant both appear to be residents of Seattle, Washington, and that the Complaint does not reflect Defendant has any

relationship to the District of Oregon. The Court advised Plaintiff that under 28 U.S.C. § 1931(b),

"[a] civil action may be brought in -  
(1) a judicial district in which any defendant resides, if all defendants are residents of the State in which the district is located.

Accordingly, the Western District of Washington appears to be the proper venue for this matter.

The Court directed Plaintiff to show cause in writing no later than August 17, 2012, as to why this matter should not be prosecuted in the Western District of Washington rather than in the District of Oregon. The Court further advised Plaintiff that if the Court finds Plaintiff's stated cause is not sufficient to establish the proper venue is the District of Oregon, the Court would direct the Clerk of Court to transfer this action to the Western District of Washington.

The Court received a letter from Plaintiff dated August 13, 2012, in response to the Court's July 31, 2012, Order in which Plaintiff states:

I am in receipt of your request addressing my being a resident of Washington State. I had chosen to file legal complaint in U.S. District Court of Oregon. Within the information which appears in my legal claim you will learn of my defaulters in the Courts of Washington finding merit in my efforts to obtain a fair hearing or trial in the State of Washington. Due to the influence of (BMW) British Motor Work of Washington State.

In closing I trust the Courts will fine [sic]

Merit for my claim being heard in the State of Oregon.

Plaintiff's letter fails to establish any basis for venue of this action in the District of Oregon.

On August 24, 2012, Defendant filed a Reply to Plaintiff's Response to the Court's Order to Show Cause. Defendant's Reply, however, also fails to establish any basis for venue of this action in the District of Oregon. Accordingly, the Court **DIRECTS** the Clerk of Court to transfer this matter to the Western District of Washington for resolution.

IT IS SO ORDERED.

DATED this 11<sup>th</sup> day of September, 2012.



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ANNA J. BROWN  
United States District Judge